

Accepted UPR Recommendations

Below are the recommendations that the United States received during the UN Human Rights Council Universal Periodic Review process and accepted, either in whole or in part. They have been divided the recommendations into ten thematic categories:

- (1) Civil Rights and Racial and Ethnic Discrimination;
- (2) Criminal Justice Issues;
- (3) Indigenous Issues;
- (4) National Security;
- (5) Immigration;
- (6) Labor and Trafficking;
- (7) Economic, Social, and Cultural Rights and Measures;
- (8) The Environment;
- (9) Domestic Implementation of Human Rights; and
- (10) Treaties and International Human Rights Mechanisms

Civil Rights and Racial and Ethnic Discrimination:

US Supports:

95: Undertake studies to determine the factors of racial disparity in the application of the death penalty, to prepare effective strategies aimed at ending possible discriminatory practices.

96: Take appropriate legislative and practical measures to prevent racial bias in the criminal justice system.

97: Review the minimum mandatory sentences in order to assess their disproportionate impact on the racial and ethnic minorities.

68, 101: Take legislative and administrative measures to ban racial profiling in law enforcement

106: Take administrative and legal measures against perpetrators of racially motivated acts, targeting migrants and minority communities.

107: Adopt effective measures and an anti-discrimination act to address racial problems.

111: Adopt a comprehensive national work-plan to combat racial discrimination.

86, 112: Undertake awareness-raising campaigns for combating stereotypes and violence against gays, lesbians, bisexuals and transsexuals, and ensure access to public services paying attention to the special vulnerability of sexual workers to violence and human rights abuses

114: Increase its efforts to effectively guarantee human rights of persons with disabilities, while welcoming the signing of the Convention and urging their prompt implementation.

116: Continue its intense efforts to undertake all necessary measures to ensure fair and equal treatment of all persons, without regard to sex, race, religion, colour, creed, sexual orientation, gender identity or disability, and encourage further steps in this regard.

144: Increases its efforts to eliminate alleged brutality and use of excessive force by law enforcement officials against, inter alia, Latino and African American persons and undocumented migrants, and to ensure that relevant allegations are investigated and that perpetrators are prosecuted.

151: Strengthen oversight with a view to ending excessive use of force by law enforcement bodies, particularly when it is directed to the racial minorities and bring those responsible for violation of laws to justice.

167: Take effective steps to put an end to child prostitution, and effectively combat violence against women and gun violence.

191: Continue to create an enabling climate for religious and cultural tolerance and understanding at the grass roots level.

198: Reinforce the broad range of safeguards in favor of the most vulnerable groups such as persons with disabilities and the homeless to allow them the full enjoyment of their rights and dignity.

209: Guarantee the prohibition of use of cruelty and excessive or fatal force by law enforcement officials against people of Latin American or African origin as well as illegal migrants and to investigate such cases of excessive use of force.

219: Enact a national legislation that prohibits religious, racial and color profiling particularly in context of the fight against terrorism.

US Supports In Part:

62: Review, reform and adequate its federal and state laws, in consultation with civil society, to comply with the protection of the right to nondiscrimination established by the Convention on the Elimination of all Forms of Racial Discrimination, especially in the areas of employment, housing, health, education and justice.

64: Review, with a view to their amendment and elimination, all laws and practices that discriminate against African, Arab and Muslim Americans, as well as migrants, in the administration of justice, including racial and religious profiling.

67: Take legislative and administrative measures to address a wide range of racial discrimination and inequalities in housing, employment and education.

94: End the discrimination against persons of African descent.

98: Devise specific programs aimed at countering growing Islamophobic and xenophobic trends in society.

99: Eliminate discrimination against migrants and religious and ethnic minorities and ensure equal opportunity for enjoyment of their economic, social and cultural rights.

100: End all forms of racial discrimination in terms of housing, education, health care, social security and labor.

103: Ensure the prosecution and punishment, according to the law, of those responsible of racial hate and xenophobic criminal acts, as well as guarantee a fair compensation to the victims, such as the case of the Ecuadoreans Marcelo Lucero and Jose Sucuzhañay, murdered in the United States.

189: Consider discontinuing measures that curtail human rights and fundamental freedoms.

190: Take effective measures to counter insults against Islam and Holy Quran, as well as Islamophobia and violence against Moslems, and adopt necessary legislation.

Criminal Justice Issues:

US Supports:

70: Take appropriate legislative and practical measures to improve living conditions through its prisons systems, in particular with regard to access to health care and education.

145: Guarantee the complete prohibition of torture in all prisons under its control.

152: Prevent and repress the illegitimate use of violence against detainees.

162: Redouble its efforts to address sexual violence in correction and detention facilities as well as to address the problem of prison conditions, with a view to preserving the rights and dignity of all those deprived of their liberty.

163: Reduce overcrowding in prisons by enlarging existing facilities or building new ones and/or making more use of alternative penalties.

177: Ensure the full enjoyment of human rights by persons deprived of their liberty, including by way of ensuring treatment in maximum security prisons in conformity with international law.

179: Review of alternative ways to handle petty crime and of measures to improve the situation of inmates in prisons.

US Supports In Part:

118: A national moratorium on the death penalty is introduced with a view to completely abolish the penalty and, before such a moratorium is introduced, to take all necessary measures to ensure that any use of the death penalty complies with minimum standards under international law relating to the death penalty such as under article 6 and 14 of the International Covenant on Civil and Political Rights.

134: End the prosecution and execution of mentally-ill persons and minors.

135: Extend the exclusion of death penalty to all crimes committed by persons with mental illness.

150: Take measures with a view to prohibiting and punishing the brutality and the use of excessive or deadly force by the law enforcement officials and to banning torture and other ill-treatment in its detention facilities at home and abroad.

173: Comply with the principles of international cooperation, as defined in Resolution 3074 of the General Assembly, for the extradition of persons accused of crimes against humanity and proceed to extradite former Bolivian authorities that are legally accused of such crimes, in order to be brought to trial in their country of origin.

174: Make those responsible for gross violations of human rights in American prisons and prisons under the jurisdiction of America outside its territory accountable, compensate victims and provide them with remedies.

175: Put on trial its gross violators of human rights and its war criminals and accede to ICC.

178: Ensure the enjoyment of the right to vote both by persons deprived of their liberty and of persons who have completed their prison sentences.

186: Ensure the right to habeas corpus in all cases of detention.

Indigenous Issues:

US Supports:

83: Implement concrete measures consistent with the Covenant on Civil and Political Rights, to ensure the participation of indigenous peoples in the decisions affecting their natural environment, measures of subsistence, culture and spiritual practices.

85: Formulate goals and policy guidelines for the promotion of the rights of indigenous peoples and cooperation between government and indigenous peoples.

200: Guarantee the rights of indigenous Americans, and to fully implement the United Nations Declaration on the Rights of Indigenous Peoples.

202: Adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples.

203: Endorse the United Nations Declaration on the Rights of Indigenous Peoples when completing its national review process.

205: Continue its forward movement on the Declaration of the Rights of Indigenous Peoples.

206: Guarantee the full enjoyment of the rights on natives of America in line with the United Nations Declaration on the Rights of Indigenous Peoples.

US Supports In Part:

199: End the violation of the rights of indigenous peoples.

201: Recognize the United Nations Declaration on the Rights of Indigenous Peoples without conditions or reservations, and implement it at the federal and state levels.

National Security:

US Supports:

58: Make fully consistent all domestic anti-terrorism legislation and action with human rights standards.

66: Enact a federal crime of torture, consistent with the Convention, and also encompassing acts described as ‘enhanced interrogation techniques’.

89: Consider the possibility of inviting relevant mandate holders as follow up to the 2006 joint-study by the 5 special procedures, in view of the decision of the current Administration to close the Guantanamo Bay detention facility.

90: Respond and follow-up appropriately the recommendations formulated to the United States by the Special Rapporteur for the Protection of Human Rights and Fundamental

Freedoms while Countering Terrorism.

139: That measures be taken to eradicate all forms of torture and ill treatment of detainees by military or civilian personnel, in any territory of jurisdiction, and that any such acts be thoroughly investigated.

146: Define torture as a federal offense in line with the Convention against Torture and investigate, prosecute and punish those responsible of crimes of extraterritorial torture.

149: Observe the Amnesty International 12 points program to prevent torture perpetrated by government agents.

159: Close without any delay all detention facilities at the Guantanamo Bay as President Barack Obama has promised.

160: Find for all persons still detained in the Guantanamo Bay detention center a solution in line with the United States obligations regarding the foundations of international and human rights law, in particular with the International Covenant on Civil and Political Rights.

161: Halt all transfer detainees to third countries unless there are adequate safeguards to ensure that they will be treated in accordance with international law requirements.

176: Respect the human rights of prisoners of war, guaranteed by the penal norms.

188: Adopt a set of legislative and administrative measures aimed at ensuring prohibition of the use by state and local authorities of modern technology for excessive and unjustified intervention in citizens' private life.

218: Do not prosecute those arrested for terrorist crimes or any other crime in exceptional tribunals or jurisdictions, but bring them to judicial instances legally established, with the protection of due process and under all the guarantees of the American Constitution.

US Supports In Part:

59: Legislate appropriate regulations to prevent the violations of individual privacy, constant intrusion in and control of cyberspace as well as eavesdropping of communications, by its intelligence and security organizations.

60: Take effective legal steps to halt human rights violations by its military forces and private security firms in Afghanistan and other States.

88: Invite United Nations Special Rapporteurs to visit and investigate Guantanamo Bay prison and United States secret prisons and to subsequently close them.

136: Take legal and administrative measures to address civilian killings by the US military troops during and after its invasion of Afghanistan and Iraq by investigating and bringing perpetrators to justice and remedying the victims and to close its detention facilities in foreign territories like Guantanamo, including CIA secret camps.

137: Prosecute the perpetrators of tortures, extrajudicial executions and other serious violations of human rights committed in Guantanamo, Abu Ghraib, Bagram, the NAMA and BALAD camps, and those carried out by the Joint Special Operations Command and the CIA.

138: Heed the call of the High Commissioner to launch credible independent investigations into all reliable allegations made to date of violations of international human rights law committed by American forces in Iraq, including extrajudicial killings, summary executions, and other abuses.

140: Stop the war crimes committed by its troops abroad, including the killings of innocent civilians and prosecute those who are responsible.

142: Halt selective assassinations committed by contractors, and the privatization of conflicts with the use of private military companies.

143: End the use of military technology and weaponry that have proven to be indiscriminate and cause excessive and disproportionate damage to civilian life.

147: Conduct thorough and objective investigation of facts concerning use of torture against imprisoned persons in the secret prisons of United States of America and detainees of the detention centres in Bagram and Guantanamo, bring those who are responsible for these violations to justice, and undertake all necessary measures to provide redress to those whose rights were violated, including payment of necessary compensation.

148: Take measures to ensure reparation to victims of acts of torture committed under United States' control and allow access to the International Committee of the Red Cross to detention facilities under the control of the United States.

155: Close Guantanamo and secret centers of detention in the world, punish agents that torture, disappear and execute persons who have been arbitrarily detained, and compensate victims.

156: Expedite efforts aimed at closing the detention facility at Guantanamo Bay and ensure that all remaining detainees are tried, without delay, in accordance with the relevant international standards; Proceed with the closure of Guantanamo at the earliest possible date and bring to trial promptly in accordance with the applicable rules of international law the detainees held there or release them.

157: Quickly close down Guantanamo prison and follow the provision of the United Nations Charter and the Security Council Resolution by expatriating the terrorist suspect to their country of origin.

166: Take effective measures to put an end to gross human rights abuses including violence against women, committed for decades by the United States military personnel stationed in foreign bases.

187: Guarantee the right to privacy and stop spying on its citizens without judicial authorization.

217: Halt serious violations of human rights and humanitarian law including covert external operations by the CIA, carried out on the pretext of combating terrorism.

Immigration:

US Supports:

80: Spare no efforts to constantly evaluate the enforcement of the immigration federal legislation, with a vision of promoting and protecting human rights.

104: Make further efforts in order to eliminate all forms of discrimination and the abuse of authority by police officers against migrants and foreigners, especially the community of Vietnamese origin people in the United States.

108: Prohibit and punish the use of racial profiling in all programs that enable local authorities with the enforcement of immigration legislation and provide effective and accessible recourse to remedy human rights violations occurred under these programs.

144: Increases its efforts to eliminate alleged brutality and use of excessive force by law enforcement officials against, inter alia, Latino and African American persons and undocumented migrants, and to ensure that relevant allegations are investigated and that perpetrators are prosecuted.

164: Ensure that detention centers for migrants and the treatment they receive meet the basic conditions and universal human rights law.

165: Further foster its measures in relation to migrant women and foreign adopted children that are exposed to domestic violence.

183: Investigate carefully each case of immigrants' incarceration.

184: Adapt the detention conditions of immigrants in line with international human rights law.

185: Ensure that migrants in detention, subject to a process of expulsion are entitled to counsel, a fair trial and fully understand their rights, even in their own language.

208: Prohibit, prevent and punish the use of lethal force in carrying out immigration control activities.

210: Protect the human rights of migrants, regardless of their migratory status.

212: Reconsider alternatives to the detention of migrants.

213: Ensure access of migrants to consular assistance.

214: Make greater efforts to guarantee the access of migrants to basic services, regardless of their migratory status.

220: Smarten security checks so as to take into account the frequent homonymy specific to Moslem names so as to avoid involuntary discrimination against innocent people with such names because of namesakes listed as members of terrorist groups.

223: Inform Foreign Missions regularly of efforts to ensure compliance with consular notification and access for foreign nationals in United States custody at all levels of law enforcement.

US Supports In Part:

79: Attempt to restrain any state initiative which approaches immigration issues in a repressive way towards the migrant community and that violates its rights by applying racial profiling, criminalizing undocumented immigration and violating the human and civil rights of persons.

82: Adopt a fair immigration policy, and cease xenophobia, racism and intolerance to ethnic, religious and migrant minorities.

102: Revoke the national system to register the entry and exit of citizens of 25 countries from the Middle-East, South Asia and North Africa, and eliminate racial and other forms of profiling and stereotyping of Arabs, Muslims and South Asians as recommended by CERD.

105: Avoid the criminalization of migrants and ensure the end of police brutality, through human rights training and awareness-raising campaigns, especially to eliminate stereotypes and guarantee that the incidents of excessive use of force be investigated and the perpetrators prosecuted.

207: End violence and discrimination against migrants.

Economic, Social, and Cultural Rights and Measures:

US Supports:

109: Promote equal socio-economic as well as educational opportunities for all both in law and in fact, regardless of their ethnicity, race, religion, national origin, gender or disability.

113: That further measures be taken in the areas of economic and social rights for women and minorities, including providing equal access to decent work and reducing the number of homeless people.

195: Ensure the realization of the rights to food and health of all who live in its territory.

196: Expand its social protection coverage.

197: Continue its efforts in the domain of access to housing, vital for the realization of several other rights, in order to meet the needs for adequate housing at an affordable price for all segments of the American society.

226: Persevere in the strengthening of its aid to development, considered as fundamental, in particular the assistance and relief in case of natural disasters.

The Environment:

US Supports In Part:

51: Comply with its international obligations for the effective mitigation of greenhouse gas emissions, because of their impact in climate change.

221: Take positive steps in regard to climate change, by assuming the responsibilities arising from capitalism that have generated major natural disasters particularly in the most impoverished countries.

222: Implement the necessary reforms to reduce their greenhouse gas emissions and cooperate with the international community to mitigate threats against human rights resulting from climate change.

Labor and Trafficking:

US Supports:

115: Consider taking further action to better ensure gender equality at work.

168: Define, prohibit and punish the trafficking of persons and child prostitution.

169: Insist more on measures aiming to combat the demand and provide information and services to victims of trafficking.

192: Recognize the right to association as established by ILO, for migrant, agricultural workers and domestic workers.

193: Prevent slavery of agriculture workers, in particular children and women.

US Supports In Part:

81: Take the necessary measures in favor of the right to work and fair conditions of work so that workers belonging to minorities, in particular women and undocumented migrant workers, do not become victims of discriminatory treatment and abuse in the work place and enjoy the full protection of the labor legislation, regardless of their migratory status.

Domestic Implementation of Human Rights:

US Supports:

65: Review its laws at the Federal and State levels with a view to bringing them in line with its international human rights obligations.

74: That a human rights institution at the federal level be considered in order to ensure implementation of human rights in all states.

87: Incorporate human rights training and education strategies in their public policies.

225: Continue consultations with non-governmental organizations and civil society in the follow up.

US Supports In Part:

227: That the model legal framework expressed by the Leahy Laws be applied with respect to all countries receiving US's security assistance, and that the human rights records of all units receiving such assistance be documented, evaluated, made available and followed up upon in cases of abuse.

Treaties and International Human Rights Mechanisms:

US Supports:

10, 11, 13, 14, 20, 21, 22, 26, 28, 30, 33, 34, 35, and 43: [Ratify or consider ratifying the Convention on the Rights of the Child (10), the Convention to Eliminate Discrimination Against Women (8), the Convention on the Rights of Persons with Disabilities (5), the International Convention on Economic, Social, and Cultural Rights (3), the ILO Convention No. 111 (2), the ILO Convention No. 100 (1), The Rome Statute of the International Criminal Court (1), the Additional Protocols I and II of the Geneva Convention (1), and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1).]

39: Examine the possibility of ratifying the core human rights treaties to which the country is not yet a party and raising its reservations on those which it has ratified.

47: Consider lifting reservations to a number of ICCPR articles.

48: Take the necessary measures to consider lifting the United States reservation to article 5, paragraph 6 of the International Covenant on Civil and Political Rights that bans the imposition of the death penalty for crimes committed by persons under 18.

49: Consider the withdrawal of all reservations and declarations that undermine the objective and spirit of the human rights instruments, in particular reservation to article 6 paragraph 5 of the International Covenant on Civil and Political Rights that bans the imposition of the death penalty to those who committed a crime when they were minors.

54: Take appropriate action to resolve the obstacles that prevent the full implementation of the *Avena* Judgment of the International Court of Justice and, until this occurs, avoid the execution of the individuals covered in said judgment.

93: Consider extending a standing invitation to special procedures.

US Supports In Part:

1: Ratify without reservations the following conventions and protocols: CEDAW; the ICESCR; the Convention on the Rights of the Child; the Convention on the Rights of Persons with Disabilities; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; the Statute of the International Criminal Court; those of the ILO; the United Nations Declaration on Indigenous Peoples, and all those from the Inter-American Human Rights System.

2: Continue the process to ratify CEDAW and adhere to the other human rights fundamental instruments, such as the Statute of Rome of the International Criminal Court, the Convention on the Rights of the Child, the Optional Protocol to the Convention against Torture and the International Convention for the Protection of all Persons against Enforced Disappearance.

3: Ratify, until the next universal periodic review, ICESCR, the Convention on the Rights of the Child, Protocols I and II of the Geneva Conventions of 12 August 1949, ILO Conventions no. 87 (on freedom of association) and no. 98 (on the right to collective bargaining) as well as withdraw the reservation made to article 4 of the International Convention on the Elimination of Racial Discrimination.

4: Ratify ICESCR and its Optional Protocol; the first Optional Protocol to the International Covenant of Civil and Political Rights, CEDAW, the Convention on the Rights of the Child, the Optional Protocol to the Convention against Torture, the Convention on the Rights of Persons with Disabilities, the Convention for the Protection of All Persons from Enforced Disappearance.

5: Continue its efforts to realise universal human rights by a) ratifying CEDAW; b) becoming a party to the United Nations Convention on the Rights of the Child; c) acceding to ICESCR; d) ratifying the United Nations Convention on the Rights of Persons with Disabilities.

6: Ratify the core human rights treaties, particularly the CRC, ICESCR, CEDAW and its Optional Protocol, the OP-CAT and the CMW and the CRPD with its Optional Protocol.

7: Ratify the ICESCR, CEDAW and the Convention of the Rights of the Child at an early stage together with other important human rights conventions.

8: Ratify CEDAW, ICESCR, and CRC in token of its commitment to their implementation worldwide, as well as become party to other international human rights conventions as referred to in the OHCHR report.

9: Ratify all core international instruments on human rights, in particular ICESCR, CEDAW, the Convention on the Rights of the Child.

15: Ratify the Convention on the Rights of the Child and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

16: Endeavour to ratify international instruments that USA is not party, in particular among others the CRC, OP-CAT; CEDAW; and Rome Statute of the International Criminal Court.

17: Ratify ICESCR, CEDAW, the Convention on the Rights of the Child; the Convention on the Rights of Persons with Disabilities and other core human rights treaties as soon as possible.

18: Ratify additional human rights treaties such as the ICESCR; the Convention of the Rights of the Child; the International Convention for the Protection of All Persons from Enforced Disappearances and the Convention on Rights of Persons with Disabilities in order to further strengthen their support to the United Nations Human Rights mechanisms.

19: Ratify the pending core international human rights instruments, in particular CRC, ICESCR, and its OP, CEDAW and its OP as well as CRPD, and others, and ensure their due translation into the domestic legislation and review existing ratifications with a view to withdraw all reservations and declarations.

23: Proceed with the ratification of Additional Protocols I and II of the Geneva Conventions of 1949, of the Convention on the Rights of the Child, of CEDAW as well as the Optional Protocol to the Convention against Torture.

24: Ratify at its earliest opportunity other core human rights instruments, particularly, those to which it is already a signatory, namely CEDAW, Convention on the Rights of the Child, ICESCR, and the Convention on the Rights of Persons with Disabilities.

25: Ratify the ICESCR, CEDAW, CRC the CRPD, the Additional Protocol I and II (1977), to the Geneva Conventions, the ICC Statute, as well as the 1st and 2nd Protocol to the Hague Convention 1954.

27: Accede to ICESCR, the CRC and ILO convention No. 111.

29: Ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of their Families and observe international standards in this regard.

37: Ratify the 12 international human rights instruments to which it is not a party.

38: Implement a program of ratification of all international human rights instruments, and then proceed to the incorporation of these in its internal legal system.

40: Accede to international human rights instruments which is not yet acceded to.

41: Continue the process to ratify and implement into domestic law the several international human rights instruments that still wait for this formal acceptance.

42: Accede to the universal core treaties on human rights and those of inter-American system, in particular the recognition of the jurisdiction of the Inter-American Court on Human Rights.

44: Withdraw all reservations and declarations on the international instruments to which it is a party that undermine its obligations or the purpose of the treaty.

45: Withdraw reservations, denunciations, and interpretations of the Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention against Torture, that undermine their compliance, and accept their individual procedures.

52: Ensure the implementation of its obligations under international humanitarian law vis-à-vis Palestinian people.